

UNITED STATES DISTRICT COURT
for the
District of Nebraska

United States of America
v.
Ernestina Gonzalez-Lemus
Date of Original Judgment: 03/26/2012
Date of Previous Amended Judgment: _____
(Use Date of Last Amended Judgment if Any)

)
) Case No: 4:11CR3060-2
) USM No: 24193-047
) Jessica L. Milburn
Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 108 months is reduced to 87 months.

(Complete Parts I and II of Page 2 when motion is granted)

The defendant shall not be released any earlier than November 1, 2015.

Except as otherwise provided, all provisions of the judgment dated 03/26/2012 shall remain in effect.

IT IS SO ORDERED.

Order Date: 11/04/2015

s/ Richard G. Kopf
Judge's signature

Effective Date: 11/01/2015
(if different from order date)

Richard G. Kopf, Senior United States District Judge
Printed name and title

**This page contains information that should not be filed in court unless under seal.
(Not for Public Disclosure)**

Ernestina Gonzalez-Lemus

DEFENDANT: _____

CASE NUMBER: 4:11CR3060-2

DISTRICT: District of Nebraska

I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)

Previous Total Offense Level: 31

Amended Total Offense Level: 29

Criminal History Category: I

Criminal History Category: I

Previous Guideline Range: 108 to 135 months

Amended Guideline Range: 87 to 108 months

II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- The reduced sentence is above the amended guideline range.

III. ADDITIONAL COMMENTS

Filing nos. 153, 162 and 163 are granted as provided herein.